

RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

David Bova  
11199 Seagrass Circle  
Boca Raton, FL 33498

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: 6 September 2003

2. Name and address of receiving party(ies)

Name: Kos Pharmaceuticals, Inc

Internal Address: \_\_\_\_\_

Street Address: 1001 Brickell Bay Drive  
25th Floor

City: Miami State: FL Zip: 33131

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 09/470,603

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Karen Messick, Esq

Internal Address: \_\_\_\_\_

Street Address: Kos Pharmaceuticals, Inc  
1001 Brickell Bay Drive, 25th Floor

City: Miami State: FL Zip: 33131

6. Total number of applications and patents involved: ☐

7. Total fee (37 CFR 3.41).....\$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

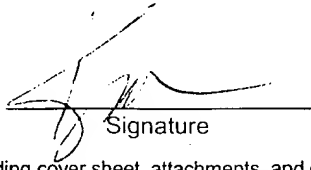
8. Deposit account number:

50-2543

**DO NOT USE THIS SPACE**

9. Signature.

Karen J. Messick, Esq. Reg. No 46,256  
Name of Person Signing

  
Signature

10/2/03  
Date

Total number of pages including cover sheet, attachments, and documents: ☐ 3

ASSIGNMENT

WHEREAS, I, **David Bova**, being a citizen of the United States of America, residing at 11199 Seagrass Circle, Boca Raton, FL 33498 USA, am the inventor of certain new and useful inventions and discoveries, for which I have made an application for Letters Patent entitled "*NICOTINIC ACID COMPOSITIONS FOR TREATING HYPERLIPIDEMIA AND RELATED METHODS THEREFOR*" the specification of which was filed with the United States Patent and Trademark Office on 22 December 1999, and assigned United States Patent Application Number 09/470,603; and

WHEREAS, **Kos Pharmaceuticals, Inc.**, whose address is 1001 Brickell Bay Drive, 25<sup>th</sup> Floor, Miami, FL 33131, United States of America, and which, together with its successors and assigns is hereinafter called "ASSIGNEE," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

NOW, THEREFORE, for and in consideration of my employment by ASSIGNEE and other valuable consideration furnished by ASSIGNEE to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservations:

1. Assign, transfer, and convey to ASSIGNEE the entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, continued prosecution applications, and convention applications based in whole, or in part, upon said inventions or discoveries, or upon said applications, and all inventions and improvements disclosed, and any and all Letters Patents, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon, or arise from, said inventions, said discoveries said improvements, said applications, and said Letters Patent;
2. Authorize ASSIGNEE to file patent applications in any or all countries on any or all of said inventions and discoveries in our name or in the name of ASSIGNEE or otherwise as ASSIGNEE may deem advisable, under International Conventions or otherwise;

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments throughout the world to issue or transfer all said Letters Patents to ASSIGNEE, as assignee of the entire right, title, and interest therein or otherwise as ASSIGNEE may direct;

4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents, or any license to use the same, or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to ASSIGNEE without encumbrance;

5. Bind my heirs, legal representatives, and assigns, as well as myself, to do, upon ASSIGNEE's request and at ASSIGNEE's expense, but without additional consideration to me or them, all acts reasonably serving to assure that said inventions and discoveries, said patent applications, and said Letters Patents shall be held and enjoyed by ASSIGNEE as fully and entirely as the same could have been held and enjoyed by me, my heirs, legal representatives, and assigns if this Assignment had not been made; and particularly to execute and deliver to ASSIGNEE all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by ASSIGNEE; and to communicate to ASSIGNEE all facts known to me relating to said inventions and discoveries and improvements or the history thereof, and to testify as to the same in any court or proceeding; and to furnish ASSIGNEE any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of my conceptions, disclosures, and reduction to practice of said inventions and discoveries.

WITNESS my hand and seal this 6 day of September, 2003.

  
David Bova